

Information Regarding Review of Support Orders Which are Less Than 36 Months Old

Any party submitting a written request for modification review in Georgia must pay a \$100.00 **non-refundable** application fee per case when the review is complete and before the Agency Recommendation is released. This fee is waived for the requesting party if that person is currently receiving TANF and/or Medicaid benefits, if their current gross income (before taxes) is \$1,000.00 or less per month at the time the OCSS is prepared to issue the Agency Recommendation, or if the requesting party in an interstate case does not reside in Georgia. (A case is considered "interstate" when the action is filed between two state child support agencies.). **Please review the following information very carefully** before making a decision to proceed with a request for a modification review.

Review and consider the following information about the review process. **Initial ALL of the items that apply to you before you submit a request for a modification review:**

- ☐ I am now receiving TANF benefits.
- ☐ I myself and the children in this case are now receiving Medicaid benefits.
- ☐ I am the requesting party in an interstate case and I reside in another state or foreign country.
- ☐ My current monthly gross income is \$1,000.00 or less. I have attached proof of my gross income. I may not have to pay the review application fee unless my income has changed when OCSS is prepared to issue the Agency Recommendation.
- ☐ I am currently unemployed.
- ☐ I am currently receiving unemployment benefits and have included proof of these benefits.
- ☐ My youngest child on this case WILL NOT emancipate in less than twelve (12) months.
- ☐ My latest order is less than 36 months old, or my order was reviewed within the past 36 months. I understand that in order for OCSS to review my case for possible modification, I must show a substantial change of circumstances. An OCSS representative will review the information that I submit with my written request to determine whether I have proven a substantial change.
- ☐ I understand that as an alternative to the Office of Child Support Services review process, I have the right to hire a private attorney and seek modification of my support order under the provisions of Georgia Law, Official Code of Georgia §19-6-19.

I understand that the Office of Child Support Services is not responsible for proving my allegations and that I must obtain and provide this proof.

The following information applies to the Custodial Parent (CP) when they are seeking to prove a substantial change in circumstances as required under Georgia law.

NOTICE about a "less - than 36 month" modification review for Custodial Parents

You generally will be required to justify a review for modification on a "less than 36 month old Order" by proving a substantial change in your circumstances, which occurred since the last order or since the last review was completed.

Examples of substantial change include, but are not limited to:

- Either parent or child has been diagnosed with a serious illness **or** they had an accident that occurred since the last order or since the last review was completed, which will have a lasting effect on the child(ren)'s needs.
- The applicant requesting a modification review is now receiving welfare benefits (TANF).
- Either party has had an unanticipated windfall of money, such as a party winning a large sum from the lottery, inheritance of money.
- Either parent suffers an involuntary loss of income resulting in a minimum 25% loss of income that is known will last for more than one year.

Examples which in most cases are generally not considered substantial changes:

- Changes in either parent's income, depending on the facts surrounding each, marital status, or acquiring new possessions (such as a new home or vehicle).
- Applicant takes on new obligations, such as other children, going into debt unnecessarily, or quitting work to return to school.
- Either party voluntarily chooses under-employment or unemployment (i.e. a job change or decision to become self-employed, or leave employment to return to fulltime education.)